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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Eric C Zamora,

10 Plaintiff,

11 v.

12 Corizon Health Incorporated, et al.,

13 Defendants.  
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No. CV-20-00043-TUC-DCB

**ORDER**

15 On September 14, 2022, the Court granted summary judgment for Defendant Riley  
16 and denied summary judgment for Defendants Corizon, leaving only those claims for trial.  
17 (Order (Doc. 60)). On December 2, 2022, the Court appointed Rosemary Gordon-Panuco  
18 to represent Plaintiff pro bono for purposes of trial and settlement. The Court referred  
19 the case to the Honorable Lynnette C. Kimmins for a settlement conference, and to  
20 accommodate pro bono counsel's schedule and allow sufficient time for her to  
21 familiarize herself with the case, the Court directed that the settlement conference not  
22 be set before February 2023. (Order (Doc. 61)). On February 27, 2023, Defendants  
23 Corizon filed a Notice of Filing for Bankruptcy, (Notice (Doc. 62)), and the Court  
24 entered a mandatory stay on March 1, 2023, (Order (Doc. 63)). The Court ordered status  
25 reports to be filed every 6 months. *Id.*

26 On December 22, 2023, Defendants filed a status report reflecting the bankruptcy  
27 parties were preparing to mediate the bankruptcy case, and the Trustee had received and  
28 was considering a request by several personal injury claimants for the formation of an

1 additional committee, specifically a Tort Claimants' Committee, pursuant to 11 U.S.C. §  
2 1102(a), to provide them with adequate representation in the bankruptcy proceeding. The  
3 next status report is due June 22, 2024.

4 On May 16, 2024, Plaintiff filed a Motion for a Status Update for Settlement  
5 Conference. (Motion (Doc. 65)). Plaintiff is represented by counsel, and while represented  
6 by counsel, he may not appear or act in his own behalf in the case or take any steps, herein.  
7 LRCiv. 83.3(c)(2). The bankruptcy stay reaches the entirety of this case, including any  
8 settlement conference before Magistrate Judge Kimmins. The Court withdraws the  
9 reference to Magistrate Judge Kimmins.

10 The Court notes that Plaintiff's request for a status report on settlement may be  
11 referring to the bankruptcy mediation; the Court does not know if the claims in this case  
12 are included as part of the mediation occurring in the bankruptcy proceeding. The Court  
13 asks Plaintiff's counsel to please contact him, ensure that copies of all bankruptcy status  
14 reports and all filings made in this case have been and are sent to him, and explain to him  
15 the status of the bankruptcy proceeding in relation to his claims in this case. Defendant  
16 Corizon is directed to file the next status report for the bankruptcy proceeding early, and it  
17 should address the status of Plaintiff's claims brought here and whether they are captured  
18 within the bankruptcy proceeding and if not, explain why.

19 **Accordingly,**

20 **IT IS ORDERED** that the Motion for Status Report on Settlement (Doc. 65) is  
21 DENIED IN PART AND GRANTED IN PART.

22 **IT IS FURTHER ORDERED** that the referral to Magistrate Judge Kimmins for a  
23 settlement conference is WITHDRAWN; the settlement conference shall not proceed in  
24 this case at this time.

25 **IT IS FURTHER ORDERED** that the status report regarding the bankruptcy  
26 proceeding due in June shall be filed within seven days of the filing date of this Order.

27 **IT IS FURTHER ORDERED** that within seven days of the filing of the  
28 bankruptcy status report, Plaintiff's counsel shall review it, contact Plaintiff, and file a

1 Response to the Defendants' bankruptcy status report explaining the status of Plaintiff's  
2 claim here in relation to the bankruptcy case and confirm that Plaintiff has been contacted  
3 regarding the status of this case and instructed to contact counsel for any further inquiries  
4 regarding this case.

5 Dated this 3rd day of July, 2024.

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A handwritten signature in black ink, appearing to read "David C. Bury", is written over a horizontal line.

Honorable David C. Bury  
United States District Judge